

# **EXECUTIVE COUNCIL OF IOWA**

## **AGENDA**

**OCTOBER 17, 2011**

1. Introduction of Attendees
2. Approval of minutes of meeting held October 10, 2011
3. Outside Counsel – Page 1  
TAB # 1
4. Leases – Page 1
5. Emergency Allocations – Page 2
6. Payment of Cost Items – Pages 2 - 4
7. Renewal Memberships – Pages 4 – 5  
TAB #'s 2, 3, 4 and 5

### 3. Outside Counsel

- A. The Department of Justice, Attorney General's office requests retention of special counsel pursuant to Iowa Code section 13.7 to assist the State Treasurer's office with proposed changes by the Federal Home Loan Bank of Des Moines.

Attorney: Mr. Steve Dickinson  
Firm: Fredrikson & Byron, P.A..  
1200 Valley West Drive Suite 304-4  
West Des Moines, IA 50266  
Rate: \$4,000.00 Flat Fee

TAB # 1

### 4. Leases

- A. Lease between Vocational Rehabilitation and Indian Hills Community College Ottumwa, IA  
Date of Lease: Ending February 29, 2012  
Description: Lease amendment extends the term of the lease an additional five (5) months. As a result of this amendment, the lease will now expire on February 29, 2012. There is no increase in the cost per square foot for this lease amendment. The lease cost remains at \$8.97 per square foot per year, or \$1,921.08 per month for 2,570 square feet. The total cost of this lease will be \$9,605.40. No other terms and conditions have changed as a result of this amendment.
- B. Lease between Public Safety & Waterloo Airport Board-City of Waterloo, IA  
Date of Lease: November 2011  
Description: This is a month-to-month lease with the Waterloo Airport commencing November 1, 2011. The lease space consists of one aircraft engine hanger for storage of an aircraft. For the lease term commencing in November 2011, the annual cost will be \$100.00 per month.
- C. Lease between Vocational Rehabilitation and George and Sharon Howard Atlantic, IA  
Date of Lease: November 1, 2011 - October 31, 2016  
Description: The total amount of rented space is 793 square feet. For the lease renewal term commencing in November 2011, the annual cost will be \$8.93 per square foot, per year, or \$590.12 per month. The annual cost of this lease is approximately \$7,081 and the total cost of this lease is \$35,407.00. There is no increase in the cost per square foot over the prior 5-year lease term.

Grant Dugdale, Assistant Attorney General, has reviewed the above leases and approved the leases as to form.

**5. Emergency Allocations**

- A. Department of Administrative Services-General Services Enterprise is requesting an emergency allocation in the amount of \$2,533.00. On June 26, 2011 a lightning strike at the State Capitol damaged the Fire Alarm System. This request is to cover repair costs.

The State Auditor's Office has reviewed the above request and recommends allocation in the amount requested, subject to audit of actual invoices.

**6. Payment of Cost Items**

- A. Hirst Applegate.....\$80.00  
1720 Carey Avenue, Suite 200  
Cheyenne, WY 82003  
Herrick Estate

Julie Pottorff, Deputy Attorney General, has reviewed invoices and recommends payment. Payment will be made from the Department of Cultural Affairs.

- B. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$129.45  
The Davis Brown Tower  
215 10<sup>th</sup> Street, Suite 1300  
Des Moines, IA 50309-3993  
Legal Services to state agencies on issues related to the visa status of prospective state employees

Julie Pottorff, Deputy Attorney General, has reviewed these invoices and recommends payment. Payment will be made from the funds of the Department of Administrative Services, Information Technology Enterprise

- C. Dow, Lohnes PLLC.....\$337.00  
1200 New Hampshire Ave NW Suite 800  
Washington, DC 20036  
Iowa Public Television

Julie Pottorff, Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the funds of Iowa Public Television.

- D. Wandro & McCarthy, P.C. ....\$9,130.00  
2501 Grand Avenue, Suite B  
Des Moines, IA 50312  
Unclaimed Property Probate Matters

Julie Pottorff, Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the funds of the Unclaimed Property Fund.

- E. Wandro & McCarthy, P.C. ....\$4,400.00  
2501 Grand Avenue, Suite B  
Des Moines, IA 50312  
Unclaimed Property Probate Matters

Julie Pottorff, Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the funds of the Unclaimed Property Fund.

- F. Simmons Perrine Moyer Bergman PLC.....\$14,140.08  
115 Third Street SE, Suite 1200  
Cedar Rapids, IA 52402  
Tobacco Settlement Authority

Julie Pottorff, Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the funds of the Tobacco Settlement Authority.

- E. McDowell, Rice, Smith & Buchanan.....\$30,893.33  
605 West 47<sup>th</sup> Street, Suite 350  
Kansas City, MO 64112  
Tobacco Settlement Authority

Julie Pottorff, Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the funds of the Tobacco Settlement Authority.

- F. McDowell, Rice, Smith & Buchanan.....\$22,102.84  
605 West 47<sup>th</sup> Street, Suite 350  
Kansas City, MO 64112  
Tobacco Settlement Authority

Julie Pottorff, Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the funds of the Tobacco Settlement Authority.

- G. Coppola, McConville, Coppola, Hockenberg & Scalise, P.C.....\$5,000.00  
2100 Westown Parkway, Suite 210  
West Des Moines, IA 50265-1539  
Mortgage Industry Practices

Julie Pottorff, Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Consumer Litigation and Education Fund.

- H. Dorsey & Whitney.....\$1,710.00  
801 Grand Avenue, Suite 3900  
Des Moines, IA 50309  
2009-2010 Series of I-Jobs Bonds

Julie Pottorff, Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Revenue Bonds Debt Service Fund.

- I. Coppola, McConville, Coppola, Hockenberg & Scalise, P.C.....\$9,240.00  
2100 Westown Parkway, Suite 210  
West Des Moines, IA 50265-1539  
Campaign Contributions from Fort Dodge Gambling Interests to Governor Culver

Julie Pottorff, Deputy Attorney General, has reviewed this invoice and recommends payment.

**7. Renewal Memberships**

- A. College Student Aid in Iowa School Counselor Association in the amount of \$140.00 for July 1, 2011 - June 30, 2012. (Previous amount was \$140.00.)  
Other agencies: No: Funding Source: Other Funds: Guaranteed Student Loan Program

- B. Governor's Office of Drug Control Policy in National Criminal Justice Association (NCJA) in the amount of \$5,858.00 for July 1, 2011 - June 30, 2012. (Previous amount was \$5,801.00.) Other agencies: No: Funding Source: Federal Funds

**TAB # 2**

- C. Health in National Association of Long Term Care Administrator Boards in the amount of \$1,200.00 for January 1 - December 31, 2012. (Previous amount was \$1,200.00.) Other agencies: No: Funding Source: Other Funds: Retained Fees

**TAB # 3**

- D. Human Rights in Justice Research & Statistics Association in the amount of \$525.00 for July 1, 2011 - June 30, 2012. (Previous amount was \$525.00.)  
Other agencies: No: Funding Source: State General Fund

- E. Iowa Finance Authority in Government Finance Officers Association in the amount of \$160.00 for November 2011 - October 2012. (Previous amount was \$160.00.) Other agencies: No: Funding Source: Other Funds: Self Funded

- F. Natural Resources in Assoc. of State & Territorial Solid Waste Mgmt Officials (ASTSWMO) in the amount of \$4,000.00 for October 1, 2011 - September 30, 2012. (Previous amount was \$4,000.00.) Other agencies: No: Funding Source: Other Funds: Solid Waste Tonnage Fee

**TAB # 4**

- G. Natural Resources in The Environmental Council of the States in the amount of \$11,000.00 for October 2011 - September 2012. (Previous amount was \$11,000.00.) Other agencies: No: Funding Source: State General Fund

**TAB # 5**

- H. Transportation in National Association of Development Organization (NADO) in the amount of \$500.00 for November 1, 2011 - October 31, 2012. (Previous amount was \$500.00.) Other agencies: No: Funding Source: Other State Funds: RUTF

THOMAS J. MILLER  
ATTORNEY GENERAL

JULIE F. POTTORFF  
DEPUTY ATTORNEY GENERAL

EXECUTIVE COUNCIL  
2011 OCT 13 AM 11:12



TAB # 1

Address Reply To:  
1305 E. Walnut Street  
Des Moines, Iowa 50319  
Telephone: 515/281-3349  
Fax: 515/281-4209  
Julie.Pottorff@iowa.gov

## Iowa Department of Justice

October 8, 2011

GeorgAnna Madsen  
Executive Secretary  
State Capitol  
L-O-C-A-L

Re: Retention of Special Counsel

Dear GeorgAnna:

Our office requests Executive Council approval pursuant to Iowa Code section 13.7 to retain special counsel to assist the Treasurer with changes proposed by the Federal Home Loan Bank of Des Moines to certain forms and agreements utilized by the Treasurer in connection with the administration of the state sinking fund for public deposits in banks and the pledging of collateral by banks. This project requires specialized knowledge and expertise that our office lacks.

The Treasurer has contacted Mr. Steve Dickinson, of Fredrikson & Byron, P.A., 1200 Valley West Drive, Suite 304-4, West Des Moines, Iowa, 50266. Mr. Dickinson was retained in 2003 for legal advice in the initial preparation of the Treasurer's forms and agreements and so is familiar with the documents that must be revised. He will be the primary attorney working on this project, although it is possible that he may utilize the assistance of associates. He has agreed to charge a flat fee of \$4,000 for this project. All attorney fees and costs will be paid from the state sinking fund for public deposits in banks created by Iowa Code section 12C.25 and not from the General Fund.

Accordingly, our office recommends that Steve Dickinson, of Fredrikson & Byron, P.A., be approved as special counsel to handle these matters for the Treasurer's Office.

Sincerely,

A handwritten signature in cursive script that reads "Julie F. Pottorff (cw)".

Julie F. Pottorff  
Deputy Attorney General

**Executive Council of Iowa**  
 Capitol Building  
 Des Moines, Iowa 50319  
 Phone: 515 281-5368  
 FAX: 515 281-7562

**REQUEST FOR MEMBERSHIP APPROVAL**

DEPARTMENT REQUESTING MEMBERSHIP: Governor's Office of Drug Control Policy

NAME OF ORGANIZATION: National Criminal Justice Association (NCJA)

NEW MEMBERSHIP ☐ RENEWAL ☒ MEMBERSHIP PERIOD: 7/01/11 to 6/30/12  
 (Beginning and ending dates)

MEMBERSHIP FEE OR DUES AMOUNT \$5,858

Funding Source: State General Fund \_\_\_\_\_ Other State Funds ☐ \_\_\_\_\_

Federal Funds ☒ 100% Other Funds ☐ \_\_\_\_\_

If Renewal, previous year amount. \$5,801

DO OTHER DEPARTMENTS BELONG TO THIS ORGANIZATION? ☐ Yes ☒ No

If yes, please list: \_\_\_\_\_

Please describe why your department should have an additional membership \_\_\_\_\_

WILL THIS MEMBERSHIP REQUIRE AND PAY FOR OUT-OF-STATE TRAVEL? ☒ Yes ☐ No

If yes, list the anticipated number of trips per year and their purpose: SEE ATTACHED

DESCRIBE WHY THIS MEMBERSHIP IS IMPORTANT TO THE WORK OF YOUR DEPARTMENT:

SEE ATTACHED

DESCRIBE HOW MEMBERSHIP IN THIS ORGANIZATION WILL BENEFIT THE TAXPAYERS OF THE STATE OF IOWA.

SEE ATTACHED

DESCRIBE THE FREQUENCY AND TYPE OF CONTACTS YOU EXPECT YOUR DEPARTMENT TO HAVE WITH THIS ORGANIZATION:

SEE ATTACHED

Requested by: \_\_\_\_\_

(Department Head Signature)

Date: 8/08/11

Phone: 515/725-0300

Rec'd 10/15/11

DOM: Approval ☒ Disapproval ☐

Signature \_\_\_\_\_

Date 10/12/11

Membership Form 42400

July 2009

sent over 10/12/11



**Will this membership require out of state travel?**

Yes.

**If yes, list the anticipated number of trips per year and their purpose?**

Approximately 2 times per year as an Advisory Board member, in discussions to influence federal funding and policy issues in ways that positively impact Iowa citizens. One or two of these trips may coincide with ODCP policy meetings in Washington, DC with members of Iowa's congressional delegation and/or grant administration meetings with officials of the U.S. Department of Justice.

**Describe why this membership is important to the work of your department.**

NCJA: (a) advocates on Capitol Hill on behalf of Iowa and other states; (b) provides advocacy tools for use by states in Washington; (c) enhances access to key federal policy makers and administrators; and (d) keeps ODCP and others up to date with reliable and timely e-newsletters and bulletins. Thanks to NCJA updates, ODCP is able to monitor administration and congressional developments, and keep local grant stakeholders updated as well. Another benefit of ODCP's membership is that other State agencies addressing justice issues are also entitled to NCJA updates, multiplying the value of NCJA to other State agencies and the citizens they serve.

**Describe how membership in this organization will benefit the taxpayers of the State of Iowa.**

It better equips ODCP and other State agencies to monitor and anticipate federal program/funding and policy developments that may impact Iowans. NCJA provides timely information that allows our agency and others to "speak up" before it's too late. Time-sensitive interventions by NCJA with members of Congress have assisted in procuring federal funding for drug and crime control efforts in Iowa at a time of reduced federal resources for these purposes.

**Describe the frequency and type of contacts you expect your department to have with this organization.**

ODCP and other select State agencies receive weekly (more frequent as warranted) congressional e-mail updates from NCJA when Congress is in session. We are notified by phone or e-mail about "breaking news" of local/state impact. In addition to these regular contacts, ODCP anticipates approximately two phone calls per month to remain current on congressional actions that could impact Iowans.

Executive Council of Iowa

Capitol Building  
Des Moines, Iowa 50319  
Phone: 515 281-5368  
FAX: 515 281-7562

TAB # 3

**REQUEST FOR MEMBERSHIP APPROVAL**

DEPARTMENT REQUESTING MEMBERSHIP: IDPH \_\_\_\_\_

NAME OF ORGANIZATION: National Association of Long Term Care Administrator Boards \_\_\_\_\_

NEW MEMBERSHIP \_\_\_\_\_ RENEWAL ☒ MEMBERSHIP PERIOD: 1/1/2012 - 12/21/2012 \_\_\_\_\_  
(Beginning and ending dates)

MEMBERSHIP FEE OR DUES AMOUNT \$ 1200.00 (2054) \_\_\_\_\_

Funding Source: State General Fund ☐ Other State Funds ☐ \_\_\_\_\_

Federal Funds ☐ Other Funds ☒ Retained Fees \_\_\_\_\_

If Renewal, previous year amount. \$ 1200.00 \_\_\_\_\_

DO OTHER DEPARTMENTS BELONG TO THIS ORGANIZATION? ☐ Yes ☒ No

If yes, please list: \_\_\_\_\_

Please describe why your department should have an additional membership \_\_\_\_\_

WILL THIS MEMBERSHIP REQUIRE AND PAY FOR OUT-OF-STATE TRAVEL? ☐ Yes ☒ No  
If yes, list the anticipated number of trips per year and their purpose: \_\_\_\_\_

DESCRIBE WHY THIS MEMBERSHIP IS IMPORTANT TO THE WORK OF YOUR DEPARTMENT.

Department is responsible for the licensing of Nursing Home Administrators in Iowa. Iowa Uses the NAB exam to show competency for licensure. \_\_\_\_\_

DESCRIBE HOW MEMBERSHIP IN THIS ORGANIZATION WILL BENEFIT THE TAXPAYERS OF THE STATE OF IOWA.

NAB provides a mechanism for citizens of Iowa to be safe in the knowledge that the Nursing Home Administrators are well prepared and trained and able to keep Iowans who reside in these homes safe from harm. \_\_\_\_\_

DESCRIBE THE FREQUENCY AND TYPE OF CONTACTS YOU EXPECT YOUR DEPARTMENT TO HAVE WITH THIS ORGANIZATION: Ongoing by web information and testing processes. \_\_\_\_\_

Requested by: *Dr. Miller thanks by Ms. Spangler*  
(Department Head Signature)

Date: 10.06.11

Phone: \_\_\_\_\_

DOM: Approval ☒ Disapproval ☐

Membership Form 42400

*James E. Keener*

July 2009

Executive Council of Iowa  
Capitol Building  
Des Moines, Iowa 50319  
Phone: 515 281-5368  
FAX: 515 281-7562

TAB # 4

**REQUEST FOR MEMBERSHIP APPROVAL**

**DEPARTMENT REQUESTING MEMBERSHIP:** Natural Resources

**NAME OF ORGANIZATION:** Assoc. of State & Territorial Solid Waste Mgmt Officials (ASTSWMO)

**NEW MEMBERSHIP:** ☐ **RENEWAL:** ☒ **MEMBERSHIP PERIOD:** Oct. 1, 11 - Sept. 30, 12  
(Beginning and ending dates)

*If Renewal, previous year amount.* \$ 4000

**MEMBERSHIP FEE OR DUES AMOUNT** \$ 4000

**Funding Source:** ☐ State General Fund ☐ Other State Funds:  
☐ Federal Funds ☒ Other Funds: Solid Waste Tonnage Fee

**DO OTHER DEPARTMENTS BELONG TO THIS ORGANIZATION?** ☐ Yes ☒ No

*If yes, please list:*

*Please describe why your department should have an additional membership*

**WILL THIS MEMBERSHIP REQUIRE AND PAY FOR OUT-OF-STATE TRAVEL?** ☐ Yes ☒ No

*If yes, list the anticipated number of trips per year and their purpose:*

While there is no required travel, membership in this organization does provide opportunities for staff to attend conferences and training workshops at no cost to the state. 100% of any travel expenses associated with this membership is covered by the organization through membership fees and Federal grants.

**DESCRIBE WHY THIS MEMBERSHIP IS IMPORTANT TO THE WORK OF YOUR DEPARTMENT.**

Provides staff with opportunities to interact with peers from other states as well as the US Environmental Protection Agency (EPA) and other government officials on current issues impacting the solid waste, underground storage tanks, contaminated sites and brownfield program areas. Membership also provides training opportunities through workshops and seminars sponsored by ASTSWMO.

**DESCRIBE HOW MEMBERSHIP IN THIS ORGANIZATION WILL BENEFIT THE TAXPAYERS OF THE STATE OF IOWA.**

The membership fee assessment makes it possible for the organization to conduct a limited amount of lobbying in Washington, DC on behalf of its members' states. This cannot be done with the federal grant funds the organization receives. Currently ASTSWMO is working closely with the National Governors Association, the Environmental Council of the States and other environmental media associations to ensure that the US Congress addresses the needs of state environmental programs, in particular serving as an advocate for increased funding to the states. Another benefit to Iowa is the professional and leadership development opportunities that are available through staff participation working or chairing specialized task forces and work groups. Professional and

leadership development is crucial for our younger employees in that they will be replacing a significant number of environmental managers who have or will be retiring in the near future.

**DESCRIBE THE FREQUENCY AND TYPE OF CONTACTS YOU EXPECT YOUR DEPARTMENT TO HAVE WITH THIS ORGANIZATION:**

The opportunities for interacting with ASTSWMO are available through several different mechanisms. Again, membership does not require travel but there are several meetings and workshops that staff could attend at no cost beyond the membership fee. There are annual specific program area conferences, mid-year and annual membership meetings that include training, presentations and panel discussions on current hot issues, as well as networking with state peers and US EPA staff.

Requested by: Brian Toney Date: 10/5/2011

Deputy Director: Chuck Cox

Date: 10/6/2011

Director: David L. Hendon

Date: 10/06/2011

DOM: Approval: ☒ Disapproval: ☐

Signature: David L. Hendon

Date: 10/11/11

2011 OCT 12 PM 4:47  
EXECUTIVE COUNCIL

**Executive Council of Iowa**  
 Capitol Building  
 Des Moines, Iowa 50319  
 Phone: 515 281-5368  
 FAX: 515 281-7562

**REQUEST FOR MEMBERSHIP APPROVAL**

**DEPARTMENT REQUESTING MEMBERSHIP:** Natural Resources \_\_\_\_\_

**NAME OF ORGANIZATION:** The Environmental Council of the States \_\_\_\_\_

**NEW MEMBERSHIP** \_\_\_\_\_ **RENEWAL** ☒ **MEMBERSHIP PERIOD:** Oct 2011 – Sept 2012 \_\_\_\_\_  
 (Beginning and ending dates)

**MEMBERSHIP FEE OR DUES AMOUNT** \$ 11,000 \_\_\_\_\_

**Funding Source:** State General Fund ☒ Other State Funds ☐ \_\_\_\_\_

**Federal Funds** ☐ **Other Funds** ☐ \_\_\_\_\_

**If Renewal, previous year amount.** \$ 11,000 \_\_\_\_\_

**DO OTHER DEPARTMENTS BELONG TO THIS ORGANIZATION?** ☐ Yes ☒ No

**If yes, please list:** \_\_\_\_\_

**Please describe why your department should have an additional membership**

The membership to ECOS is to improve the capability of state environmental agencies and their leaders to protect and improve human health and the environment of the United States of America.

**WILL THIS MEMBERSHIP REQUIRE AND PAY FOR OUT-OF-STATE TRAVEL?** ☒ Yes ☐ No  
**If yes, list the anticipated number of trips per year and their purpose:**

Estimated 2 Trips per year for national meetings.

**DESCRIBE WHY THIS MEMBERSHIP IS IMPORTANT TO THE WORK OF YOUR DEPARTMENT.**

Our belief is that state government agencies are the keys to delivering environmental protection afforded by both federal and state law. Further, we believe that ECOS plays a critical role in facilitating a quality relationship between federal and state agencies in the fulfillment of that mission. That role is defined as:

- Articulate, advocate, preserve and champion the role of the states in environmental management; and
- Provide for the exchange of ideas, views and experiences among states and with others; and
- Foster cooperation and coordination in environmental management; and
- Articulate state positions to Congress, federal agencies, and the public on environmental issues.

DESCRIBE HOW MEMBERSHIP IN THIS ORGANIZATION WILL BENEFIT THE TAXPAYERS OF THE STATE OF IOWA.

The DNR will be able to voice concerns of Iowans at a national level.

DESCRIBE THE FREQUENCY AND TYPE OF CONTACTS YOU EXPECT YOUR DEPARTMENT TO HAVE WITH THIS ORGANIZATION:

The organization hosts many conference call events on a monthly basis, some being required participation and others with optional participation along with quarterly meetings.

Requested by: Bill Ehm, DA \_\_\_\_\_

Date: 10/4/11 \_\_\_\_\_

Deputy Director: Ed Gigg \_\_\_\_\_

Date: 10/5/2011 \_\_\_\_\_

Director: [Signature] \_\_\_\_\_

Date: 10/05/11 \_\_\_\_\_

DOM: Approval ☒ Disapproval ☐

Signature [Signature] \_\_\_\_\_

Date 10/7/11 \_\_\_\_\_

EX-100-110102  
2011 OCT 12 PM 4:07